



**MINUTE SUMMARY**  
**Planning Commission Meeting December 27, 2006**  
**Edina City Hall Council Chambers**  
**4801 West 50<sup>th</sup> Street**

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**MEMBERS PRESENT:**

**Chair, John Lonsbury, Nancy Scherer, Kevin Staunton, Michael Schroeder, Mike Fischer, Geof Workinger, Stephen Brown, Floyd Grabel and Scott Thiss**

**STAFF PRESENT:**

**Cary Teague and Jackie Hoogenakker**

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**I. APPROVAL OF THE MINUTES:**

The minutes of the November 29, 2006, meeting were filed with a correction.

**II. NEW BUSINESS:**

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**LD-06-5**

**Lot Division  
Scott Busyn  
4001 and 4003 49<sup>th</sup> Street West**

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Mr. Teague presented his staff report informing the Commission the applicant is proposing to tear down the existing double bungalow, build a new double, and divide the property down the common wall of the new double.

Mr. Teague concluded staff supports the request for lot division and lot area variance from 15,000 square feet to 13,380 square feet.

A brief discussion ensued with some Commissioners expressing concern that the new double bungalow could be designed needing variances. Mr. Teague explained the plans presented by the applicant meet Code, and if the building plans were to change any variance(s) would need to be heard and approved by the Zoning Board of Appeals before construction could commence.

Commissioner Fischer moved to recommend approval of the party wall lot division and lot area variance for 4001/4003 49<sup>th</sup> Street West. Commissioner Thiss seconded the motion. All voted aye; motion carried.

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**P-06-8**                      **Final Development Plan**  
**DJR Architects/Tom Miller**  
**3201 & 3101 69<sup>th</sup> St West**

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Mr. Teague presented his staff report informing the Commission the applicant is proposing to tear down the existing office buildings on these sites and build the following:

- An elevated 49,000 square foot retail store along York Avenue, with parking underneath.
- A 80-unit, 12-story market rate apartment building above retail space. Twelve (12) of the units are proposed for affordable housing.
- A 58-unit, 4-story 55+ apartment building located along the east side of the site, adjacent to single family homes in Richfield. 12 of the senior units are proposed for affordable housing.

Mr. Teague also asked the Commission to note the project also requires multiple variances:

- A building height variance from 4 stories (50 feet) to 12 stories (146 feet) for the apartments;
  - A building height variance from 50 feet to 54 feet for the senior apartments;
  - A floor area ratio variance from 100% to 159%;
  - Building setback variances for the market rate apartments:
    - i) Front setback variance from 146 feet to 100 from York Avenue;
    - ii) Side street setback variance from 146 feet to 75 feet from 69<sup>th</sup> Street;
    - iii) Side yard setback variance from 146 feet to 54 feet;
- Building setback variances for the 55+ apartments;
- iv) Side street setback variance from 54 feet to 20 feet from 69<sup>th</sup> Street.
  - v) Rear setback variance from 54 feet to 30 feet from Xerxes Avenue;
- Drive-aisle setback variance from 10 to 6 feet from the south lot line.

Mr. Teague concluded staff recommends that the city council deny the project.

Mr. Tom Miller property owner, Mr. Dean Dovolis, architect and other members of the development team were present.

**Presentation by Development Team:**

Mr. Dovolis addressed the Commission and presented his overview of the project and the way the project addresses Edina's Comprehensive Plan, Housing Succession Plan and The Greater Southdale Area Study. Mr. Dovolis asked the Commission to note the following changes made to the project since the Commission last met:

- Building height was reduced from 14 stories to 12 totaling 80 apartments that include 12 affordable units at 60% of metro median income. Unit sizes are between 750-2,000 square feet.
- 58 senior units that includes 12 affordable units at 60% of metro median income. Senior units range in size from 750 square feet to 1,450 square feet.

Mr. Dovolis asked the Commission to note the retail component remains 49,000 square feet. Mr. Dovolis also pointed out traffic would be reduced as a result of the mixed use of this proposal.

With graphics Mr. Dovolis pointed out features of the proposed project to include to following amenities:

- Resident accessible green roof
- interior courtyard
- pool
- club room
- exercise room
- balconies
- Underground climate controlled parking with elevator access.

Concluding, Mr. Dovolis told Commissioners the site also has a "Plan B" redevelopment plan which is retail only. Mr. Dovolis introduced Mary Rousseau, adding she worked with the project team and her expertise is affordable housing.

Ms. Rousseau told the Commission there is a high demand for affordable rental units in the area. These rental units would provide the work force with the opportunity to live in Edina and live in an area near places of employment and access to mass transit.

Mr. Bill Griffith, Larkin Hoffman, addressed the Commission and informed them approval of the project and the required variances would support the development of a very impressive project. Mr. Griffith said the redevelopment of this site as proposed in the greater Southdale area is reasonable, especially in light of the high density and the surrounding mixed use zoning. Continuing, Mr. Griffith said the introduction of affordable housing and the small unusual shapes of the subject lots also support the granting of variances.

**Public Comment:**

Lisa Schwab- 6740 Washburn Avenue, Richfield said her concern is with traffic, adding to avoid Xerxes Avenue many people use Washburn as a cut through. She commented another concern is with the timing of the traffic lights, especially on York. She noted if pedestrian traffic is encouraged there is no way, she can get across York Avenue with her three children and the elderly would never be able to get across. Concluding, Ms. Schwab said the rental element of the proposal also has her concerned.

John Carlson, 4433 Ellsworth Drive, Edina, said his concern is with traffic and the excessive height of the building. Mr. Carlson said he would like more attention paid to peak times and how the project would impact those peak hours. Concluding Mr. Carlson said he applauds the effort to provide affordable housing.

Ms. Debbie Goettel, 6525 James Avenue, told the Commission she is Mayor-Elect and believes there aren't enough buffers to transition the proposed senior building from the single family homes directly across the street. Ms. Goettel said this is a good time to open up a dialogue between Edina and Richfield to discuss our common border.

Gene Persha- 6917 Cornelia Drive, Edina, told the Commission the Code should be considered permanent when reviewing proposals. Mr. Persha said he has a concern that because of the affordable housing aspect of this proposal it could be approved. Mr. Persha said concern should be given to sewer capacity, ground water, auto emissions and traffic gridlock. Concluding, Mr. Persha said he doesn't support the Greater Southdale Area Plan, adding it is flawed.

JoEllen Dever – 7405 Oaklawn Avenue, Edina, said she doesn't want to see affordable housing used as leverage to achieve tall buildings.

Roberta Thorpe – 6904 Cornelia Drive, Edina, told the Commission she doesn't support high rise developments in Edina, adding in her opinion Edina is also maxed out on retail.

Debbie O'Neil – 5501 Benton Avenue, Edina, told the Commission she supports the affordable housing element of this proposal and believes the concept is good and the general location is great; however, believes that it was

debated at great length that redevelopment of properties east of York Avenue would be restricted to 4 stories and if that is changed this would be spot zoning.

Sharon Ming, 1103 Coventry Place, Edina, told the Commission she is a member of the Housing Task Force and in her opinion the proposed project is very exciting and is a big first step for Edina. Ms. Ming said she would hate to see Edina lose this project because the City is not prepared. Ms. Ming stated there are a lot of very good things about this project and requested that the Commission make it work.

### **Commission Comments:**

A lengthy discussion ensued with Commissioners struggling with the variances needed to redevelop this site. All Commissioners expressed their belief that the project was excellent; with the majority of Commissioners in agreement they did not want to see another strip mall constructed at this location. Discussion continued to focus on the variances required for site redevelopment and if a hardship was present. Discussion also focused on procedure and if this project should be moved forward as presented to the Zoning Board and Council or should the Zoning Ordinance be amended to readdress properties east of York Avenue, which would include this site.

Commissioners also expressed concern with the precedent setting aspect of this project; pointing out there are other sites between the subject site and West 66<sup>th</sup> Street that could also be redeveloped.

Mr. Tom Miller property owner asked the Commission to vote on his proposal this evening. Mr. Miller told the Commission he has been waiting a long time to redevelop this site. He said when he first began redevelopment talks with staff the city was involved with the Westin and Cypress projects', adding the timing was not right. Continuing, Mr. Miller said different obstacles also "slowed down" this project including the Greater Southdale Area Study, Housing Succession Plan, Council elections, and Code amendments-to name a few. Mr. Miller said through continued talks with city staff he found out four days prior to a Council meeting that the Council would be amending the zoning ordinance to reduce building height on properties east of York Avenue to 4-stories. Mr. Miller told the Commission he sent numerous letters to the Council during this time requesting that they reconsider amending the Code east of York Avenue, and was told amending the Code wouldn't prevent him from this project, the Council would consider requests on a case by case basis. Concluding, Mr. Miller asked the Commission to vote this either up or down, adding his buildings are 40 years old and redevelopment needs to occur on his property.

Commissioner Fischer moved to recommend Final Development Plan approval and to recommend approval of the required variances to the Zoning Board based on the following:

- the proposed project reduces traffic impact, compared to an all retail project,
- the proposed project at 12 and 4 stories, provides appropriate transitional height from the 18-story Westin Hotel/Condominium building to the single story residential homes in Richfield,
- the proposed project positively addresses groundwater issues; and
- the project provides several public benefits that could support the granting of the variances to include: pedestrian and bicycle accessibility, additional green space/green roof, reduction in surface parking , provides affordable housing opportunities, provides senior housing opportunities, and enhances the greater Southdale area with a mixed use project that includes retail and residential.

Commissioner Fischer in his motion addressed hardship to support the granting of the proposed variances adding variance support is justified due to the following reasons:

- the unique small and odd shapes of the lots, noting the size of these lots are not typical in the area and these circumstances were not created by the applicant.
- the site was also inflicted with a code change which “down graded” the site by limiting the size of building(s) that could be constructed on the site. This Code change was not the fault of the property owner/applicant, adding at that time the property owner requested that the Council not act on the Code change as it related to his property; and
- the proposed 12-story building would not alter the essential character of the neighborhood pointing out there are several buildings in the greater Southdale are that are as tall or taller than the proposed building to include the 18-story Westin Hotel, Edina Towers at 17 stories, Edinborough Park/Plaza 18 stories, Point of France at 13 stories, the Durham 13 stories and Yorktown Continental at 12 stories.

Chair Lonsbury called for the vote. Ayes; Schroeder, Fischer, Workinger, Brown, Thiss. Nays; Scherer, Staunton, Lonsbury. Motion carried. 5-3.

### **III. INTERGOVERNMENTAL BUSINESS:**

Mr. Cornejo addressed the Commission and informed them the Comp Plan will be taken into different neighborhoods for “listening sessions” to ensure that all residents are able to weigh in on the plan. Mr. Cornejo said the City’s web site will also contain information on the Comp Plan for easy resident access.

Mr. Cornejo highlighted Comprehensive Plan goals and time frames for Commissioners.

Mr. Cornejo along with members of the Commission scheduled a dinner meeting for January 24, 2007 at 5:30 at City Hall to further discuss the plan and schedule dates for future meetings of both the Task Force and neighborhoods.

**Commission Business:**

Chair Lonsbury thanked Commissioners Thiss and Workinger for their service to the Commission and the City. Commissioners Thiss and Workinger are retiring from the Commission in January.

Chair Lonsbury thanked Commissioner Brown for volunteering to serve on the Transportation Commission as Commission Liaison.

Chair Lonsbury asked Commissioner Scherer if she would like to continue as Heritage Preservation Board Liaison. Commissioner Scherer responded she would be happy to serve as liaison.

Chair Lonsbury asked if anyone in the audience would like to speak.

Mr. John Bohan, 800 Coventry Place told the Commission with regard to the Comprehensive Plan meetings the first question that should be asked of all residents is: Why do you live in Edina? Mr. Bohan said the answer to that question is very important.

**IV. ADJOURNMENT:**

The meeting adjourned at 9:30 PM

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Respectfully submitted

